

Appl. No. 10/615,651
Resp.AF dated November 18, 2005
Reply to Final Office Action of September 21, 2005

REMARKS

Applicant has carefully reviewed the Office Action mailed September 21, 2005. Favorable reconsideration is respectfully requested in light of the following comments. Consideration and entry of this After-Final Response is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claim 1 under 35 U.S.C. §102(b) as anticipated by Stevens, EP 0 841 072. In order to anticipate, the cited reference must disclose each and every claimed element. Stevens fails to do so.

In particular, claim 1 requires providing an inner lubricious liner that is positioned within a braid layer. The Examiner has pointed to column 8, lines 1-19 of Stevens as disclosing this limitation. However, this passage merely recites extruding an elastomeric body tube over a mandrel. An elastomeric polymer is not equivalent to a lubricious liner, and thus this is a claimed element not expressly disclosed by Stevens.

Further, claim 1 requires a step of cutting through the braid layer and the inner lubricious liner. The Examiner has pointed to column 9, lines 3-23 of Stevens as disclosing this limitation. However, this passage does not disclose cutting through the braid layer and cutting through the inner lubricious liner. As noted above, Stevens does not expressly disclose the inner lubricious liner, and therefore cannot be considered as describing a step of cutting through it. Moreover, the cited passage does not disclose cutting through the elastomeric body tube under the braid layer. Instead, the reference merely discloses removing periodic braided sections prior to forming what will become a soft catheter tip portion.

See, in particular, column 9, lines 13-18, which clearly states that Stevens prefers to remove only the braid, leaving the elastomeric body tube intact. One of ordinary skill in the art will recognize that Stevens does not disclose cutting through the elastomeric body tube. As noted above, of course, Applicant does not concede that Stevens' elastomeric body tube is equivalent to the claimed inner lubricious liner. It is noted, moreover, that the claimed invention requires a cutting step, while Stevens describes removing braid sections via centerless grinding.

Thus, as shown herein, Stevens fails to disclose one or more claimed elements, and thus cannot be considered as anticipatory. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claims 2-5, 7, 9-11 and 13 under 35 U.S.C. §103(a) as unpatentable over Stevens, EP 0 841 072, in view of Wilson, U.S. Patent No. 5,951,929. As noted above, claim 1 is patentable over Stevens. Claims 2-5, 7, 9-11

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and 13 depend from and further limit claim 1 and similarly are patentable over Stevens. Wilson is not believed to remedy the noted shortcomings of Stevens. Favorable reconsideration is respectfully requested.

Applicant respectfully traverses the Examiner's rejection of claim 6 under 35 U.S.C. §103(a) as unpatentable over Stevens, EP 0 841 072, in view of Wilson, U.S. Patent No. 5,951,929, and further in view of Zadno-Azizi, U.S. Patent Publication No. 2004/0015150. Claim 6 depends from and further limits claim 1 and similarly is patentable over Stevens. Neither Zadno-Azizi nor Wilson are believed to remedy the noted shortcomings of Stevens. Favorable reconsideration is respectfully requested.

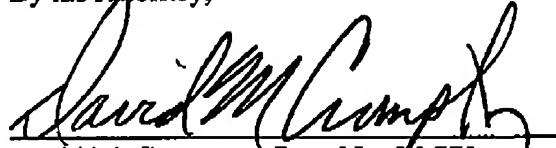
Applicant respectfully traverses the Examiner's rejection of claim 8 under 35 U.S.C. §103(a) as unpatentable over Stevens, EP 0 841 072, in view of Ashiya et al., U.S. Patent No. 5,947,925. Claim 8 depends from and further limits claim 1 and similarly is patentable over Stevens. Ashiya et al. are not believed to remedy the noted shortcomings of Stevens. Favorable reconsideration is respectfully requested.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By his Attorney,



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Dated: 11/18/05